IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Tr.P(C).No. 178 of 2007()

OP.370/2007 of FAMILY COURT, PALAKKAD

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PETITIONER

C.K.BABITHA, 25 YEARS, D/O.CHANDRAN,
KURUVANGATTIL HOUSE, MANALOOR DESOM,
THRISSUR TALUK.

BY ADV. SRI.A.C.DEVY

RESPONDENTS:

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1. MOHANDAS, S/O.NARAYANAN, 36 YEARS,
CHADAKATTIL HOUSE, CHOROTTUR DESOM,
OTTAPALAM TALUK, PALGHAT DISTRICT.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISNAN, J.

Tr.P.(C). 178/2007

Dated this 12th day of September, 2007

O R D E R

This petition is one for transfer of O.P.370/2007 pending before the Family Court, Palakkad, to Family Court, Thrissur to be tried along with M.C.248/2007.

2. Respondents served but no appearance. Heard the counsel for the transfer petitioner. It is submitted that the wife is living in Thrissur and the husband has abandoned her and she is not having any financial resources and further there is nobody to accompany her to the Family Court at Palakkad. It is also submitted that the husband is an affluent person working abroad with a monthly salary of Rs.50,000/- and the Family Court, Thrissur is situated in an equal distant place from his permanent residence and, therefore, no hardship will be caused to him as well. The averments in the Transfer Petition remains uncontroverted.

3. Therefore, for the reason stated, I allow the Transfer Petition and transfer O.P.370/2007 pending before the Family Court Palakkad to the Family Court,

Thrissur, for trial. Since the respondent has failed to appear before this Court, Family Court, Palakkad, shall give intimation to the counsel appearing therein regarding the transfer.

The Tr.P.(C) is disposed of accordingly.

M.N.KRISHNAN,
JUDGE

mrcs